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May 20, 2004

Chairman Deborah Taylor Tate Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243

Re: N

Motion to Withdraw

Docket No. 02-00438

Dear Chairman Tate:

Enclosed for filing in the above-referenced proceeding are the original and thirteen (13) copies of United Telephone-Southeast, Inc.'s and Sprint Communications Company, L.P.'s Motion to Withdraw Testimony.

Copies of this Motion are being served upon all parties of record in this proceeding. If I can be of assistance, please call me at your convenience.

Sincerely yours,

Edward Phillips

HEP:sm

Enclosures

cc: Parties of Record

BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

In Re:)	
Complaint of Aeneas Communications Against)	D14 N- 02 00420
Citizens Communications in Weakley County, Tennessee)	Docket No. 02-00438
)	

MOTION TO WITHDRAW TESTIMONY

Pursuant to Tenn. Code Ann. § 4-5-308 and Tenn. Comp. R. & Regs. 1220-1-2.06, United Telephone-Southeast, Inc. and Sprint Communications Company, L.P. (collectively, "Sprint") move the Tennessee Regulatory Authority ("Authority") to allow Sprint to withdraw its prefiled testimony in this docket. In addition to this request, Sprint also requests that it be permitted to withdraw from participation at the hearing in this matter scheduled to begin on June 2, 2004. However, despite these requests, Sprint does desire to maintain its status as a party to the docket. In support of this Motion, Sprint states as follows:

- 1. Sprint filed its Petition to Intervene in this matter on January 8, 2003. Sprint's petition was granted by the Hearing Officer in this matter on January 10, 2003. Thereafter, in accordance with the procedural schedule, Sprint prefiled the direct testimony of its witness James Michael Maples on February 6, 2003, and the rebuttal testimony of Witness Maples on February 12, 2003.
- 2. Since the time Sprint's intervention was granted, and Sprint prefiled its testimony, Sprint has reevaluated its participation in this proceeding. Sprint has determined that there are dockets now pending before the Authority in which similar issues are raised (e.g. Docket No. 03-00585). As a result, Sprint has further determined that it can effectively present its position to

the Authority and adequately protect its rights therein without the need to participate at the hearing in this matter.

Based on the foregoing, Sprint respectfully requests the Authority grant this motion, and permit Sprint to withdraw its prefiled direct and rebuttal testimony of its witness James Michael Maples, and that Sprint also be allowed to withdraw from participation in the hearing of this matter, while continuing to allow Sprint to remain as a party in this docket.

Respectfully submitted this the 20th day of May, 2004.

Edward Phillips

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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion to Withdraw of Sprint upon all parties of record to this Docket by depositing a copy addressed to each in the United States Mail, first-class postage prepaid.

This 20th day of May, 2004.

Henry Walker, Esquire Boult, Cummings, et al. 414 Union Street, #1600 Nashville, TN 37219-8062

Donald L. Scholes Branstetter, Kilgore, et al. 227 Second Avenue, N. Nashville, TN 37219 Guilford Thornton, Esquire Stokes & Bartholomew 424 Church Street, #2800 Nashville, TN 37219

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United Telephone-Southeast, Inc. and Sprint Communications Company, L.P.